

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE: WRIGHT MEDICAL)	MDL DOCKET NO. 2329
TECHNOLOGY, INC.,)	
CONSERVE HIP IMPLANT)	
PRODUCTS LIABILITY)	1:12-MD-2329-WSD
LITIGATION)	
)	
)	
This Document Relates To:)	
ALL CASES)	

CASE MANAGEMENT ORDER 2

During the monthly teleconference on June 4, 2012, the Court noted that the Short-Form Complaint and Short-Form Answer had been filed on June 1, 2012 [Doc. 93]. On June 25, 2012, an amended Short-Form Complaint was filed [Doc. 125]. The Court now approves the amended Short-Form Complaint and Short-Form Answer. As required by paragraph 2 of CMO 1, all Direct Filed Cases (as that term is defined in CMO 1) shall use the Short-Form Complaint. Plaintiffs in Early Transferred and Transferred Cases (as these terms are defined in CMO 1) shall have up to and including July 26, 2012, to file a Short-Form Complaint.

Paragraph 6(a) of CMO 1 is hereby modified as follows:

Each Plaintiff will complete the one-page Plaintiff's Preliminary Disclosure Form ("Plaintiff Form"), attached as Exhibit A. The

Plaintiff Form will be served by email on Defendant's Counsel and Co-Lead Plaintiffs' Counsel within thirty (30) days after the date of this Case Management Order 2, or within thirty (30) days following the direct filing of a case in, or the transfer of a Complaint to, this MDL. The Plaintiff Form shall not be filed and Plaintiffs' counsel are instructed to maintain the original Plaintiff Form so that it is available to the Court and the parties if required. Plaintiffs' counsel shall file in their individual cases a "Notice of Service" showing that the Plaintiff Form was served.

Paragraph 14 of CMO 1 is hereby modified as follows:

Defendant has not waived service of process and all initial Complaints, including Short-Form Complaints in Direct Filed Cases, must be served on Defendants as required by Rule 4 of the Federal Rules of Civil Procedure. For subsequent pleadings, to include Short-Form Complaints filed by Plaintiffs in Early Transferred and Transferred Cases, no additional service of process is required. For any pleading or submission not required to be filed in CM/ECF, service may be made upon Plaintiff's Co-Lead Counsel at mmcglamrymdl@pmkm.com and upon Defendants' Counsel at DJAsh@duanemorris.com.


The Plaintiff Fact Sheet and Defendant Fact Sheet [Doc. 91] are approved.

As required by paragraph 10(c) of CMO 1, a Plaintiff Fact Sheet for Plaintiffs currently in MDL No. 2329 will be served on Defendants no later than September 24, 2012.

Pursuant to paragraphs 3 and 4 of CMO 1, all pending motions [Docs. 22, 34, 41-50] are hereby vacated. Defendants may re-file any pending motion if any Plaintiff in Early Transferred and Transferred Cases elects not to file a Short-Form

Complaint on or before July 26, 2012. Pursuant to paragraph 3(b) of CMO 1, the date of re-filing will determine the date for the filing of a response.

SO ORDERED this 26th day of June, 2012:



WILLIAM S. DUFFEY, JR.
UNITED STATES DISTRICT JUDGE